



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shackelford et al.  
Appl. No.: 10/699,622  
Filed: October 31, 2003  
Docket No.: 1997  
Conf. No. 3039  
Title: **CONTAINER TRANSPORT APPARATUS AND ORGANIZING  
APPARATUS FOR USE IN MANUFACTURING OPERATIONS  
AND METHOD THEREOF**

Art Unit: 3651

Examiner:  
Action: **TRANSMITTAL OF INFORMATION DISCLOSURE**  
Date: April 29, 2004

TO: Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The squeeze tube filling apparatuses identified on the attached form PTO/SB/08B have come to the attention of the undersigned in connection with the subject application. Specifically, Applicants have identified three (3) squeeze tube filling apparatuses manufactured and sold by the assignee of this application, ProSys Innovative Packaging Equipment, which is a division of Reagent Chemical & Research, Inc., having offices at 422 East 17<sup>th</sup> Street, Webb City Missouri 64870 ("ProSys"), and it is respectfully requested that these apparatuses be made of record in this proceeding. Prosys identifies these apparatuses as its model numbers: LVF RT 40, LVF RT 70, and LVF RT 140. Copies of advertisement brochures as well as recently printed web pages obtained from the Prosys website, located at [www.prosysfill.com](http://www.prosysfill.com) have been attached hereto for the Examiner's review.

In addition, Applicants have provided photographs of one of the apparatuses for the Examiner's consideration. Applicants note for the Examiner's attention that the

apparatus shown in the photograph was sold at least one year prior to the effective filing date of this application. As shown, the apparatus in the photograph includes a bin for receiving a bulk supply of containers that are to be sequentially transferred from the bin to the elevator by a rotating transfer wheel. Although not shown, Applicants note for the Examiner's attention that an agitator plate is associated with the conveyor discharge to facilitate the movement of the single tubes to the wheel. This agitator plate is located under the conveyor discharge ramp.

In addition, the Examiner's attention is also directed to the background discussion in the application. Portions of the background discussion generally describe other tube filling machines wherein bulk tubes are loaded into a tube-feeding bin, and then organized into a single file stream with the tubes being delivered sequentially to a tube filler assembly.

The identification of these apparatuses is for the purpose of meeting Applicants' duty of disclosure under 37 C.F.R. §1.56 and is not intended to be an admission that any of them constitute prior art as to the invention disclosed and claimed in the subject application. Please initial the attached form PTO/SB/08B where indicated and return a copy of the initialed document to the undersigned as an indication that the listed items have been considered and made of record.

The Examiner is courteously solicited to enter an expeditious allowance of this application. If any questions remain to be addressed, it is respectfully requested that the undersigned attorney for the Applicants be contacted at the number listed below.



Respectfully submitted,

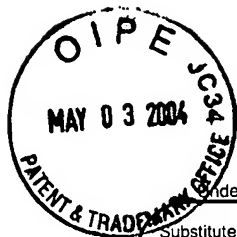
**TIMOTHY J. MARTIN, P.C.**

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that the foregoing **TRANSMITTAL OF INFORMATION DISCLOSURE (3 pages)** including **FORM PTO/SB/08 (1 page)** and **REFERENCES** is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29<sup>th</sup> day of April, 2004.

Marcie F. King



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

### Complete if Known

Application Number	10/699,622
Filing Date	10/31/2003
First Named Inventor	Shackelford et al.
Art Unit	3651
Examiner Name	
Attorney Docket Number	1997

Sheet 1

of

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### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Squeeze Tube Filling Equipment, Item Number LVF RT 40, distributed by Prosys Innovative Packaging Equipment, 422 East 17th Street, Webb City, Missouri 64870.	
		Squeeze Tube Filling Equipment, Item Number LVF RT 70, distributed by Prosys Innovative Packaging Equipment, 422 East 17th Street, Webb City, Missouri 64870.	
		Automatic Squeeze Tube Filling Equipment, Item Number LVF RT 140, distributed by Prosys Innovative Packaging Equipment, 422 East 17th Street, Webb City, Missouri 64870.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.